

Notice of Allowability

Application No.

09/924,376

Examiner

Anh Ly

Applicant(s)

FRANZ, GREGORY J.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/01/2005.
2. ☒ The allowed claim(s) is/are 1-36, 38-47 and 49-54 (renumbered as 1-52).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 01/05/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEAN M. MARTINS
PATENT EXAMINER

DETAILED ACTION

1. This Office Action is response to Applicants' Response filed on 11/01/2005.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul E. Franz (Reg. No.: 45,910) on Thursday, 01/05/2006, @ (216) 586-1162

The application has been amended as follows:

Claim 35:

35. (Currently Amended) A computer-implemented method of e-mailing files, comprising the steps of:

- associating a first file with a class of recipients;
- associating a second file with one recipient in the class;
- creating a data set for each recipient in the class, wherein only the data set corresponding to the one recipient includes the second file; and
- distributing the data sets to the recipients by automatically generating a single e-mail message addressed to a recipient account associated with the one recipient, the single e-mail **message** including the data set corresponding to the one recipient;

wherein the step of associating the first file includes defining recipients of the first file to include all recipients in the class and all recipients in any subordinate classes related to the class in the hierarchy.

Claim 37:

37. (Cancelled)

Claim 46:

46. (Currently Amended) A program stored in a computer-readable medium, the program for distributing files by e-mail to recipients connected by a network, comprising:

- code for defining a class of recipients;
- code for associating a first file with the class of recipients;
- code for associating a second file with one recipient in the class;
- code for creating a data set for each recipient in the class, wherein only the data set corresponding to the one recipient includes the second file; and
- code for distributing the data sets to the by automatically generating a single e-mail message addressed to a recipient account associated with the one recipient, the single e-mail **message** including the data set corresponding to the one recipient;

wherein the code for associating the first file defines recipients of the first file to include all recipients in the class and all recipients in any subordinate classes in the hierarchy related to the class.

Claim 48:

48. (Cancelled)

3. Claims 1-36, 38-47, and 49-54 are allowed.

Allowable Subject Matter

4. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1-36, 38-47, and 49-54 are allowed in light of the applicants' argument and in light of the prior arts of made record.

5. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to methods, systems and program stored in a computer-readable medium for distributing e-mail message to a plurality of recipients associated with a corresponding plurality of recipient accounts, distributing data sets according to a hierarchical association among classes and recipients so that each recipient receives a recipient data set of data sets associated only with that recipient.

The closest prior arts, Sherman et al. (hereinafter Sherman) of US Patent No.: 6,505,214 teaches e-mail folder hierarchy, where each top level folder of the hierarchy is associated with user account and the messaging system is capable of handling message in that folder and facilitating e-mail operations such as sending, receiving and organizing e-mail messages as well as addressee. Waskiewicz of US Patent No.: 5,822,526 teaches recipients' address directory. And Win et al. (hereinafter Win) of US Patent No.: 6,453,353 teaches each recipient data set including only data sets associated with each corresponding recipient account by defining users, administrative roles, and user and group in the access server and registry server from which the user or group may access or receive the resources such as e-mail and attached files as administrator distributed based on the functional and roles that are defined in the system.

Thus, in combination, Sherman, Waskiewicz and Win fail to teach "automatically generating for each corresponding recipient account a corresponding single e-mail message that includes the recipient data set that includes only the data sets associated with the corresponding recipient account."

These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 1-36, 38-47, and 49-54 them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039 (Examiner's Fax Number)**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
JAN. 5th, 2006


JEAN CORRIELUS
PATENT EXAMINER